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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,694	10/15/2003	Joshua Haghpasand		9174

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EXAMINER

SWEARINGEN, JEFFREY R

ART UNIT	PAPER NUMBER
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2445

NOTIFICATION DATE	DELIVERY MODE
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10/16/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sh@patentny.com
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Office Action Summary

Application No.

10/686,694

Applicant(s)

HAGHPASSAND, JOSHUA

Examiner

Jeffrey R. Swearingen

Art Unit

2445

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6 and 9-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, 6, 9-14, 17 and 18 is/are allowed.
- 6) ☒ Claim(s) 15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-3, 6, 9-14 and 17-18 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter: Applicant uses a friendly outbound list and an unfriendly outbound list only one of which is active at any given time and an outbound exception list, and a friendly inbound list and an unfriendly inbound list only one of which is active at any given time and a domain inbound exception list.
3. Friendly lists are generally referred to in the prior art as white lists or allow lists, and unfriendly lists are generally referred to in the prior art as black lists or block lists. A system in the prior art would be configured to have either a white list or a black list. The prior art does not teach or suggest installing both the white (friendly) list and the black (unfriendly) list on a system, and then only use one of these lists at a time. It is contrary to the prior art to have both an allow (white) and a disallow (black) list on a system at the same time, if both lists were not being used contemporaneously.
4. An allow and a disallow list can be simultaneously employed if a larger domain was blocked and a specific IP address from that domain was allowed. This configuration is not allowed in the currently claimed invention, since only the allow list can be used or only the disallow list can be used at a time. Likewise, having no allow or no disallow list is not permissible in the current claims, which require both an allow and a disallow list to be present even though only the allow or the disallow list is active.

5. An empty list is considered equivalent to either no allow list being present or no disallow list being present, because no elements in a list does not equal a list.

Response to Arguments

6. Applicant's arguments filed 6/30/2009 have been fully considered but they are not persuasive.

7. Applicant argued that Hannel in view of Donaldson failed to teach the encryption functionality of claim 15 - *an encryption function that generates one or more secret symmetric encryption keys, the one or more encryption keys being uniquely associated with a text inputted by a user in the editing pane, said encryption function capable of encrypting all or only a portion of an e-mail message selected by the user action and/or all or only a portion of an e-mail message attachment file selected by the user.*

Applicant argues that Hannel and Donaldson do not teach partial encryption. Partial encryption is not required by the claim language. Applicant's claim language requires encrypting **all or only a portion of an e-mail message...and/or all or only a portion of an e-mail message attachment**. Hannel teaches encryption of a message. If a message is encrypted, then **all or only a portion** of the message is encrypted.

Applicant argues that public/private encryption is not symmetric encryption. The generation of both a public and a private key, where the public key is openly shared and the private key is only local to the recipient and the sender, is considered symmetric encryption, since Applicant failed to provide a definition of symmetric encryption in the specification.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hannel in view of Donaldson.

10. In regard to claim 15, Hannel disclosed *an administrative module that a user interacts with for creating user accounts*, (Hannel, column 9, lines 24-59, column 10, lines 33-48) *for adding and deleting users and for storing as encrypted files on hardware memory the user accounts* (Hannel, column 10, line 40 – column 11, line 20) *and wherein the administrative module includes an editor, the editor including an editing pane, said editor also including an encryption function that generates one or more secret symmetric encryption keys, the one or more encryption keys being uniquely associated with a text inputted by a user in the editing pane, said encryption function capable of encrypting all or only a portion of an e-mail message selected by the user and/or all or only a portion of an e-mail message attachment file selected by the user.* (Hannel, column 35, lines 20-22, column 34, lines 1-24)

11. Hannel failed to disclose email filtering using blacklists and whitelists. Donaldson did disclose email filtering in column 12, lines 28-67 and column 11, lines 17-36. Donaldson disclosed email notification in column 18, lines 32-67.

12. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Donaldson with the teachings of Hannel for network security reasons and to keep malicious code out of an organization's internal network. Donaldson, column 1, line 60 – column 2, line 2. Hannel supports the need for network security issues in column 5, lines 1-60.

13. In regard to claim 16, Hannel disclosed *said encryption function is capable of encrypting all or only a portion of an e-mail message attachment file selected by the user and is also capable of encrypting all or some files on a hard drive local to the software.* (Hannel, column 35, lines 20-22, column 34, lines 1-24)

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Combar et al. US 7,058,600

16. Combar disclosed the use of symmetric encryption in a proxy environment.

17. Shanumgam et al. US 6,708,187

18. Shanumgam disclosed encryption of email.

19. Devine et al. US 6,385,644

20. Devine disclosed symmetric encryption of web messages.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571)272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey R. Swearingen
Examiner
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/J. R. S./
Examiner, Art Unit 2445

/VIVEK SRIVASTAVA/

Supervisory Patent Examiner, Art Unit 2445